IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2662 of 1999

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

INDIAN PETROCHEMICALS CORPORATION LTD

Versus

VASANTBHAI C SOLANKI

Appearance:

NANAVATI ASSOCIATES for Petitioner No. 1

MR RK MISHRA for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 15/07/2004

ORAL JUDGEMENT

1. Learned counsel for the respective parties jointly submitted that in pursuance of the suggestion put by this Court, the parties have arrived at a consensus and the respondent has agreed to accept a sum of Rs.2,50,000/- (Rupees two lacs fifty thousand) as full

and final settlement in lieu of the award of the Labour Court. Learned counsel submitted that the settlement has been arrived at on the basis of the law declared by the Apex Court by way of one-time settlement, and this Court need not to discuss the merits of the matter and may pass appropriate orders in terms of the settlement.

2. Accordingly, the petition is partly allowed. It is directed that the petitioner Corporation shall pay a lumpsum payment of Rs.2,50,000/(Rupees two lacs fifty thousand only) to the respondent in full and final settlement in lieu of the judgement and award passed by the Labour Court, Baroda dated 17.9.1998 passed in Reference (LCV) No.517/89. The petitioner Corporation shall pay net amount of Rs.2,50,000/- without effecting any deduction therefrom. The judgement and award of the Labour Court is modified accordingly. It is clarified that the aforesaid payment amounts to satisfying the award of the Labour Court and the respondent will not make any claim against the said award and will withdraw all the proceedings initiated in pursuance of the aforesaid award. Rule is made absolute accordingly with no order as to costs.

[K.S. JHAVERI, J.]
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